

**UNITED STATES DISTRICT COURT
DISTRICT OF NORTH DAKOTA**

PHOENIX CAPITAL GROUP HOLDINGS, LLC

Plaintiff,

v.

INCLINE ENERGY PARTNERS, L.P.

Defendant.

Case No. 1:23-cv-00209

**MOTION OF LATHAM & WATKINS LLP TO WITHDRAW AS COUNSEL OF
RECORD FOR PLAINTIFF PHOENIX CAPITAL GROUP HOLDINGS, LLC**

John T. Ryan and Andrew R. Gray of the law firm of Latham & Watkins LLP (collectively “Movants”), counsel for Plaintiff Phoenix Capital Group Holdings, LLC (“Phoenix Capital”), hereby move pursuant to General Local Rule 1.3(F) of this Court for an order granting leave to permit Movants to withdraw as counsel of record for Plaintiff in this action. Phoenix Capital has retained counsel from McKool Smith to represent it in this lawsuit. Ronald H. McLean and Ian R. McLean from Serkland Law Firm will continue to represent Phoenix Capital. Movants have worked diligently with Phoenix Capital’s new counsel to transition the management of this litigation, such that Phoenix Capital will not be prejudiced. Defendant does not oppose this motion.

WHEREFORE, for the foregoing reasons, the undersigned respectfully request that the Court enter an order discharging them as counsel of record in the above-referenced action.

Dated: December 16, 2024

By: /s/ John T. Ryan

John T. Ryan (*admitted Pro Hac Vice*)
Latham & Watkins LLP
12670 High Bluff Drive
San Diego, CA 92130
Phone: 858.523.5400
jake.ryan@lw.com

Andrew R. Gray (*admitted Pro Hac Vice*)
Latham & Watkins LLP
650 Town Center Dr. 20th Fl.
Costa Mesa, CA 92626
Phone: 714.540.1235
andrew.gray@lw.com

Attorneys for Plaintiff
Phoenix Capital Group Holdings, LLC